

PATENT
Atty. Docket No.: Le A 33 308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Mittendorf, *et al.*

SERIAL NO.: 09/806,335

FILING DATE: September 29, 1999

TITLE: New Bis-Benzimidazoles

**PETITION, FEE AND STATEMENT OF FACTS SUPPORTING A CHANGE OF
NAME OF INVENTOR DUE TO MARRIAGE UNDER 37 C.F.R. § 1.182**

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

This Petition is made in accordance with 37 C.F.R. § 1.182 in the above-captioned application to support the change of the inventor's name from Makiko Hiraoka to Makiko Marumo due to marriage.

1. The application PCT/JP99/05319 was filed on September 29, 1999, claiming an earliest priority date of October 1, 1998.
2. Makiko Hiraoka was listed as one of the inventors on the application PCT/JP99/05319.
3. With reference to a Notification of Missing Requirements under 35 U.S.C. 371 issued by the Patent Office on May 1, 2001, applicants on June 4, 2001 filed a declaration which named Makiko Marumo as an inventor and which did not name Makiko Hiraoka as an inventor.

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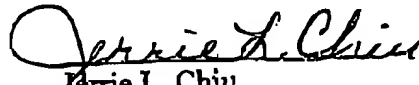
4. With reference to a Notification of a Defective Response and a Notification of Defective Oath or Declaration issued by the Patent Office on June 21, 2001, under 35 U.S.C. 371, applicants on June 4, 2001 filed a response which stated that the inventor's name changed from Makiko Hiraoka to Makiko Marumo due to marriage, along with a certified abstract of Makiko Marumo's family register and a sworn translation into English thereof.
5. On June 27, 2002, the Patent Office issued a Decision under 37 C.F.R. § 1.182, stating that a proper petition under 37 C.F.R. § 1.182 is required along with the petition fee and verified statements by the inventor.
6. This is to state that the inventor's name at date of filing of the application PCT/JP99/05319 was Makiko Hiraoka and changed to Makiko Marumo due to marriage.
7. Makiko Hiraoka got married to Tsuyoshi Marumo on April 13, 2001. A declaration of Makiko Marumo attesting to this fact is attached.
8. On April 13, 2001, according to the laws of Japan, her registration into her husband's family register, which is held by the City of Nara, Japan, was effected.
9. According to the laws of Japan, upon entry into her husband's family register, her surname changed to Marumo.
10. Provided with this petition is the abstract of the family register. This abstract is an official document issued by the City of Nara, Japan on May 24, 2001. It is certified by Yasunori Okawa, the mayor of the City of Nara, Japan. It is identical to the original family register.
11. Provided with this petition is a sworn translation of the abstract of the family register into English, furnished on July 12, 2001 by Tomoko Nomura, a translator of Bayer Yakuhin.

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Please charge all fees due with this petition, including those specified under 37 C.F.R. §
1.17(h), to deposit account number 13-3372.

Respectfully submitted,

Dated: Oct 9, 2002
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Jerrie L. Chiu
Attorney for Applicants
Reg. No. 41,670

[TRANSLATION]

Domicile of origin : 4-ban, Saidaiji-Minami-machi, Nara-shi, Nara-ken
Name : Tsuyoshi Marumo
Date of origination: April 13, 2001

His wife, Makiko was born in Setagaya-ku, Tokyo on July 1, 1970 as the eldest daughter of Katsuo Hiraoka (father) and Yukiko Hiraoka (mother), and the birth was notified by her father on July 13, 1970 and registered.

Her marriage to Tsuyoshi Marumo was notified and registered as of April 13, 2001 and she was transferred from the family register of Katsuo Hiraoka, 438-banchi, 4-chome, Funabashi, Setagaya-ku, Tokyo.

I, Yasunori Okawa, Mayor of Nara-shi, certify that this abstract of the family register is identical with the original family register.

May 24, 2001

Yasunori Okawa
Mayor of Nara-shi

認証登簿平成 13 年 第 144 号

嘱託人 野村 朋子

は本職の面前でこの戸籍抄本英訳文
にある嘱託人の署名を自認した。——
よつてこれを認証する。——

平成 13 年 7 月 12 日当公証人役場において

大阪法務局所属

大阪市中央区安土町3丁目4番10号

(ホースビル内)

公証人

三浦 光希



Registered No. 144 of 2001

NOTARIAL CERTIFICATE

This is to certify that Tomoko NOMURA
has affixed his signature in my very presence to the attached
document.

Dated this 12th day of July, 2001

Osaka Legal Affairs Bureau

Notary

No. 4-10 (Horse Bldg.)

3-chome, Azuchi-machi, Chuo-ku, Osaka, Japan.

Mitsubiro Masakiyo

Mitsubiro Masakiyo

PTO FAX NO.: 703-308-6459

ATTENTION: GEORGE M. DOMBROSKE, PCT LEGAL EXAMINER
PCT LEGAL OFFICE

**OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF**

7

**GEORGE M. DOMBROSKE
PCT LEGAL EXAMINER**

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Joachim Mittendorf, Application No. 09/806,335, filed September 29, 1999 for NEW BIS-BENZIMIDAZOLES are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

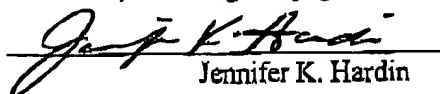
Document(s) Attached

1. copy - Postcard
2. Petition to Extend Time
3. Response to Decision
4. Petition, Fee and Statement of Facts Supporting A Change of Name of Inventor Due to Marriage
5. Declaration of Makiko Marumo
6. Copy of family Register of Makiko Marumo and sworn translation

RECEIVED
14 APR 2003
Legal
International Division

Number of pages being transmitted, including this page: 14

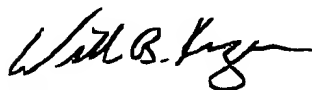
Dated: 04/14/03


Jennifer K. Hardin

Dear Examiner Dombroske:

Per our telephone conversation of April 11, 2003, enclosed are documents listed above showing that the Response to Notification of a Defective Response was filed on October 24, 2002.

Respectfully submitted,



William B. Kezer
Reg. No. 37, 369

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RETURN FACSIMILE AT (415) 576-0300**

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